

REMARKS

Claims 21-40 are pending in this application. Claims 21, 26, 31, and 35 are amended and claims 23, 28, 33, 37, and 40 are cancelled herein. Claims 21, 26, 31 and 35 are independent.

Claims 21-24, 26-29, 31-33, 35-38, and 40 stand rejected under 35 USC §103(a), as obvious over Miyamoto et al. (US Patent No. 6,607,443) in view of newly cited Pfeiffer, et al. (US Patent No. 2003/032481). Claims 25, 30, 34 and 39 now stand rejected under 35 USC §103(a), as obvious over the based combination in further view of Yamashita, et al. (US Patent No. 6,755,743).

Claims 21, 26, 31 and 35 are amended to incorporate the limitations previously recited in dependent claims 23, 28, 33 and 37, which are accordingly cancelled. To the extent not addressed by the amendment, the rejections are respectfully traversed.

As amended each of the independent claims now requires changing the correspondence between an expression and a circumstance of the game being played with the gaming machine for a virtual player, based on game playing history data for that virtual player.

Thus, the gaming machine of the present invention exhibits different reactions according to the respective game-playing histories of virtual players. This facilitates a rich variety of play being provided in the game-playing by the virtual players (see, for example, present specification page 9, lines 17-25). In addition, the response image data is reproduced in accordance with the conditions of the game. Therefore, the reactions of the virtual players are adjusted according to the participants of the game, thereby providing more satisfaction to the real players carrying out tactical interaction.

In rejecting claims 23, 28, 33, 37, the final Official Action relies for support on Miyamoto's disclosure in column 9, lines 54-60. The relied upon disclosure states:

"Accordingly, the main CPU 201 executes processes in response to subtly differentiated states corresponding to subtle player movement states "1", "2", . . . , "7" on the control face (S203-S210). Specifically, for a given bet, the main CPU 201 delicately selects the game development corresponding to

subtly differentiated player actions (S203-S210). "

This disclosure is further clarified in column 9, lines 61-67, where Miyamoto states:

"According to this image processing device, subtle movements by players on the control face are monitored through CCD cameras 14, and subtle variations in input player commands are used to determine development of the game, thereby allowing input player commands, such as bets or calls, from waving of the hands, for example, thus affording a game device affording more realistic game development."

Hence, it is respectfully submitted, Miyamoto discloses that the main CPU 201 executes processes in response to subtly differentiated states corresponding to subtle real player movement states, but lacks any teaching or suggestion of the required changing of the correspondence between an expression and a circumstance of the game being played with the gaming machine for a virtual player, based on game playing history data for that virtual player.

Pfeiffer does not cure this defect in Miyamoto. While Pfeiffer discloses that virtual player card selection and betting are controlled by computer software, it has not been cited as disclosing and, it is respectfully submitted, fails to teach or suggest the controlling of game play based on the game history for one or more virtual players.

In conclusion, it is respectfully submitted that each of independent claims 21, 26, 31 and 35 patentably distinguishes over the applied combinations of prior art, and it is respectfully requested that the rejection of claims 21, 26, 31 and 35 be reconsidered and withdrawn.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed local telephone number, in order to expedite resolution of any remaining

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issues and further to expedite passage of the application to issue, if any further comments, questions or suggestions arise in connection with the application.

To the extent necessary, Applicants petition for an extension of time under 37 CFR § 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account No. 01-2135 (File No. 1227.42951X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,
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